

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA,

-against-

BRYAN COHEN,

Defendant.

19cr741

ORDER

WILLIAM H. PAULEY III, Senior United States District Judge:

Defendant Bryan Cohen submits a spate of letters seeking “guidance” from this Court regarding his immigration status. (See ECF Nos. 56, 58, 60.) In response to Cohen’s first letter, this Court directed the United States Attorney’s Office to confer with United States Citizenship and Immigration Services (“USCIS”). (ECF No. 57.) In that Order, this Court expressed confidence that both constituent parts of the executive branch would “have an abiding interest in ensuring that judgments of this Court are obeyed.” (ECF No. 57, at 2.) This Court’s confidence was not misplaced. The Government responded and represented that USCIS does not plan to remove Cohen from the United States prior to the conclusion of his sentence. (ECF No. 59.) While this Court is satisfied with the Government’s response, Cohen is not. He “reiterate[s] [his] application to this Court for guidance on how to proceed.” (ECF No. 60, at 1.)

This Court expects that Cohen will—in accord with the Judgment of Conviction—complete his 1500 hours of community service and then depart the United States as previously directed. To reinforce these expectations, this Court orders the following:

1. Cohen shall surrender any passports or travel documents in his possession to the Probation Department in the Southern District of Florida by October 20, 2020.
2. Cohen shall not make any applications for a passport or other travel documents and shall advise this Court in writing by October 20, 2020 whether he has made

any such applications since he surrendered his passport in October 2019.

3. Cohen shall advise this Court in writing by October 20, 2020 why he failed to notify his Pretrial Services Officer that USCIS had directed him to appear for a January 22, 2020 biometrics appointment.
4. If Cohen presents himself at any point of entry in an effort to depart the United States without the express permission of this Court, the Government is directed to detain him and transfer him to the custody of the United States Marshal Service for further proceedings before this Court.

Dated: October 19, 2020
New York, New York

SO ORDERED:


WILLIAM H. PAULEY III
U.S.D.J.